

#5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNITED STATES RECEIVING OFFICE (RO/US)

In re Application of:	Dietmar Wolter
U.S. Nat'l Stage of	PCT/EP00/09118
Int'l App. No.:	US Appln 10/070863 filed 3/11/02
Int'l Filing Date:	9/14/2000
For:	FIXATION SYSTEM FOR BONES

Box PCT

ATTN: EO/US

1. Commissioner for Patents
Washington, D.C. 20231

Docket No.: H01.2-10436

TRANSMITTAL LETTER

1. In regard to the above-identified application, we are submitting the attached:
Response to Notification of Missing Requirements; copy of the Notice of Missing Requirements; Power of Atty, Declaration; VAS Transmittal; and Postcard.

2. With respect to fees:

- ☐ No additional fee is required.
☒ Attached is check(s) in the amount of \$ 130.00.
☐ Charge additional fee to our Deposit Account No. 22-0350.

CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME

3. This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time. If any extension of time for the accompanying response is required, Applicant requests that this be considered a petition therefor.
4. Please charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 22-0350.

07/11/2002 LLANDGRA 00000042 10070863

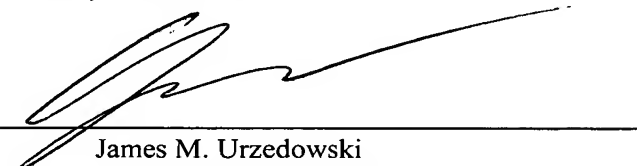
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VIDAS, ARRETT & STEINKRAUS

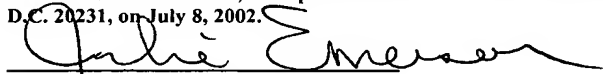
Date: July 8, 2002

By:


James M. Urzedowski
Registration No. 48,596

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

Certificate Under 37 CFR 1.10: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as Express Mail Label EV106145301US, addressed to BOX PCT, Commissioner for Patents, Washington D.C. 20231, on July 8, 2002.


Julie Emerson



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
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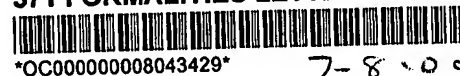
U.S. APPLICATION NUMBER NO. 10/070,863	FIRST NAMED APPLICANT Dietmar Wolter	ATTY. DOCKET NO. H01.2-10436
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INTERNATIONAL APPLICATION NO. PCT/EP00/09118	
I.A. FILING DATE 09/14/2000	PRIORITY DATE 09/14/1999

Richard A Arrett
 Vidas Arrett & Steinkraus
 6109 Blue Circle Drive
 Suite 2000
 Minnetonka, MN 55343-9185

CONFIRMATION NO. 2597

371 FORMALITIES LETTER



OC000000008043429

7-8-02

Date Mailed: 05/08/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

- • \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE **MUST** BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 305-3653

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,863	PCT/EP00/09118	H01.2-10436

FORM PCT/DO/EO/905 (371 Formalities Notice)

FORM PTO-1390 (REV 10-94) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. Dept. of Commerce and Patent and Trademark Office	ATTORNEY'S DOCKET NUMBER: H01.2-10436
		U.S. APPLICATION NO. (If known):	
INTERNATIONAL APPLICATION NO.: PCT/EP00/09118	INTERNATIONAL FILING DATE (14.09.00): 14 September 2000	PRIORITY DATE CLAIMED (dd/mm/yy): 14 September 1999 (14.09.99)	
TITLE OF INVENTION: FIXATION SYSTEM FOR BONES			
APPLICANT(S) FOR DO/EO/US: Dietmar Wolter; Uwe Schumann, Klaus Seide			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371 (c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> have been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
Items 11. to 16. below concern other document(s) or information included:			
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.29 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment. Please enter the amendment before fee calculation. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input checked="" type="checkbox"/> A power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: Copy of the Notification of Missing Requirements; Correspondence Address document, Constructive Petition</p>			

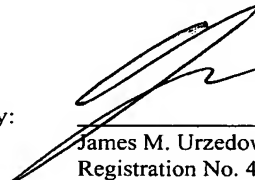
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(A)(1)-(5)): <i>(select the appropriate one of the following fees)</i></p> <p>Search Report has been prepared by the EPO or JPO \$ 930.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) \$ 490.00</p> <p>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$ 750.00</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 1,070.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Articles 33(2)-33(4) \$ 98.00</p> <p style="text-align: right;">\$</p> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p>	CALCULATIONS	PTO USE ONLY																									
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>	\$ 130.00																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> </tr> <tr> <td>Total Claims.</td> <td>9 - 20 =</td> <td></td> <td>x \$ 22.00</td> <td>\$</td> </tr> <tr> <td>Independent Claims</td> <td>2 - 3 =</td> <td></td> <td>x \$ 82.00</td> <td>\$</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims (if applicable)</td> <td>+ \$ 270.00</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 130.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total Claims.	9 - 20 =		x \$ 22.00	\$	Independent Claims	2 - 3 =		x \$ 82.00	\$	Multiple Dependent Claims (if applicable)			+ \$ 270.00	\$	TOTAL OF ABOVE CALCULATIONS =				\$ 130.00		
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Independent Claims	2 - 3 =		x \$ 82.00	\$																							
Multiple Dependent Claims (if applicable)			+ \$ 270.00	\$																							
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00																							
<p>Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).</p>	\$																										
SUBTOTAL =	\$																										
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>	\$																										
TOTAL NATIONAL FEE =	\$																										
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>	\$																										
TOTAL FEES ENCLOSED =	\$ 130.00																										
	Amount to be: Refunded	\$																									
	Charged	\$																									

a. ☒ A check in the amount of \$130.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees is enclosed. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.

Send All Correspondence To:
 Vidas, Arrett & Steinkraus, P.A.
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By: 
 James M. Urzedowski
 Registration No. 48596